

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

David McGee,,	:	
Plaintiff,	:	
 	:	
v.	:	File No. 1:10-cv-11-jgm-jmc
 	:	
Andrew Pallito, in his individual	:	
and official capacities, Robert Hofmann,	:	
Kurt Kuehl, Robert McDougall,	:	
Marie Salem, Robert Kupec,	:	
Kevin Oddy, Phil Fitzpatrick,	:	
Brian Reed, Cindy Modiano,	:	
Mary Ellen Cross, Richard Byrne,	:	
David Talcott, Greg Hale,	:	
Tim Harrington, Philip Brochu,	:	
Phillip Quijano, Joseph Sylvestri,	:	
Marshall Rich, David Martinson,	:	
Michael Bellizzi, Scott Morley,	:	
Anita Carbonell, Ellen McWard,	:	
Dominic Domato, Mark Potanas,	:	
Christina Granger, James Kamel,	:	
Joshua Rutherford, Michael Arace,	:	
James Edwards, Monique Sullivan,	:	
Correctional Officer Michael Simonds,	:	
Correctional Officer Douglas Camp,	:	
Delores Burroughs-Biron, M.D.,	:	
Nurse Manager Doe, Nurse(s) Doe,	:	
and Prison Health Services, Inc.,	:	
Defendants.	:	

ORDER

The Magistrate Judge's Report and Recommendation was filed August 13, 2013.

(Doc. 156.) After de novo review and absent objection, the Report and Recommendation is AFFIRMED, APPROVED and ADOPTED. See 28 U.S.C. § 636(b)(1).

The State Defendants' Motion to Dismiss (Doc. 155) and Prison Health Services, Inc.'s Motion for Summary Judgment (Doc. 154) are DENIED.

This matter is returned to Magistrate Judge John M. Conroy for further proceedings.

SO ORDERED.

Dated at Brattleboro, in the District of Vermont, this 24th day of September, 2013.

/s/ J. Garvan Murtha

Honorable J. Garvan Murtha
United States District Judge